



AGENDA TITLE: Public Hearing to Consider Amendments and Introduce Ordinance Amending Lodi

Municipal Code Chapter 16.40 "Reimbursements for Construction" by Repealing and Re-enacting Section 16.40.050 "Reimbursement Agreements" in its Entirety

MEETING DATE: October 5,2011

PREPARED B Y Public Works Director

RECOMMENDED ACTION: Public Hearing to consider amendments and introduce ordinance

amending Lodi Municipal Code Chapter 16.40 "Reimbursement for Construction" by repealing and re-enacting Section 16.40.050

"Reimbursement Agreements" in its entirety.

BACKGROUND INFORMATION: Lodi Municipal Code Chapter (LMC) 16.40 regarding

"Reimbursements for Construction" identifies the improvements which are reimbursable under the development impact mitigation

fee program and other improvements which benefit other property, and establishes a uniform reimbursement procedure for the cost of improvements which are to be reimbursed from other parties.

Currently, Section 16.40.050-A.4 Reimbursement Agreements, provides that the City will collect the appropriate charge from the properties identified in the agreement and reimburse the applicant or the applicant's heirs, successors or assigns, for a period of 15 years from the date of the agreement only. Reimbursement agreements to recover funds advanced by the City for projects shall expire after 15 years; reimbursement charges will not be collected after that time. In large part, the reimbursement charges apply to future residential development.

The current economic downturn has resulted in a general stoppage of most new development and particularly residential development. The current trends suggest the duration of the downturn will extend for up to 10 years. Nine of the 17 active reimbursement agreements are for the benefit of the City. The request to extend the active reimbursement agreements was initiated by the development community.

The ordinance to be introduced at the Public Hearing would amend LMC Section 16.40.050to extend all existing reimbursement agreements for a period of 10 years. As a result, properties that have not paid reimbursements included in the existing reimbursement agreements will be required to reimburse the applicant for a period not to exceed 25 years. The proposed amendments are presented in Exhibit A.

A summary of the 17 active agreements is provided in Exhibit B.

FISCAL IMPACT: None.

FUNDING AVAILABLE: Not applicable.

F. Wally Sandelin
Public Works Director

FWS/pmf Attachments

APPROVED:

Konradt Bartlam, City Manager

ORDINANCE NO.

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING LODI MUNICIPAL CODE CHAPTER 16.40 "REIMBURSEMENTS FOR CONSTRUCTION" BY REPEALING AND RE-ENACTING SECTION 16.40.050 "REIMBURSEMENT AGREEMENTS" IN ITS ENTIRETY.

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

<u>SECTION 1</u>. Lodi Municipal Code Chapter 16.40 – "Reimbursements for Construction" is hereby amended by repealing and re-enacting §16.40.050 "Reimbursement Agreements" in its entirety, to read as follows:

16.40.050 Reimbursement Agreements

- A. Within sixty days of receipt of a completed application, the public works director shall prepare a reimbursement agreement containing the following provisions:
 - The amount of reimbursable costs shall include construction costs less any applicable credits plus ten percent for administrative and engineering costs. Applicable city engineering and processing fees shall also be added. Costs of financing, bonds or other applicant costs shall not be included.
 - 2. The total reimbursable cost shall be apportioned to the benefiting properties as appropriate. Costs of transitions, utility stubs or other minor work shall not be apportioned to adjacent property.
 - 3. The reimbursable amount shall be recalculated annually to include an amount attributable to interest, using the Engineering News Record 20 Cities Construction Cost Index as of the end of the year. The reimbursable amount for subsequent years shall be the prior year reimbursable amount less any reimbursements made during the year, all multiplied by the percentage change in the index over the year.
 - 4. The agreement shall provide that the city will collect the appropriate charge from the properties identified in the agreement and reimburse the applicant or the applicant's heirs, successors or assigns, for a period of fifteen years from the date of the agreement only. Reimbursement agreements to recover funds advanced by city for projects shall expire after fifteen years; reimbursement charges will not be collected after that time except as set forth in Paragraph 5 of this section.
 - 5. All reimbursement agreements in effect prior to October 5, 2011 are hereby extended ten (10) years from their original expiration date, giving them a life of 25 years.
- B. The reimbursement agreement shall be numbered and filed by the Public Works Director.

CB. Prior to the adoption of a resolution approving the reimbursement agreement or extension of a reimbursement agreement the city shall within ninety days of receipt of a completed application conduct a public hearing as follows:

- At least ten days prior to the date and time set for the hearing before the city council, give a notice by first class mail, postage prepaid to the addresses as shown on the latest equalized assessment roll of San Joaquin County, to the owners of each parcel identified in the reimbursement agreement as benefited.
- 2. The notice shall state the date, time, and location set for such hearing.
- 3. Include in such notice to property owners as required under (1) above a statement of the nature of the improvements costs as provided in subsection A of this section, and list of the addresses or a map delineating all parcels identified in the reimbursement agreement as benefited.
- 4. The hearing on such reimbursement agreement shall take place before the city council, at which time all interested parties shall be heard. The council shall determine what properties are benefited, the costs and a fair method of allocation of costs to the properties benefited, and an apportionment of such costs.

<u>SECTION 3.</u> No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

<u>SECTION 4. Severability.</u> If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

<u>SECTION 5</u>. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

<u>SECTION 6</u>. This ordinance shall be published pursuant to law and shall become effective 30 days from the date of passage and adoption.

	Approved this	day of, 20	11
ATTEST:	Bob Johnson Mayor		

RANDI JOHL City Clerk County of San Joaquin, ss. I, Randi Johl, City Clerk of the City of Lodi, do hereby certify that Ordinance No. _ was introduced at a regular meeting of the City Council of the City of Lodi held July 6, 2011, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held _____, 2011, by the following vote: AYES: COUNCIL MEMBERS -NOES: COUNCIL MEMBERS -ABSENT: COUNCIL MEMBERS -ABSTAIN: COUNCIL MEMBERS -I further certify that Ordinance No. ____ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law. RANDI JOHL City Clerk

D. STEPHEN SCHWABAUER City Attorney

APPROVED TO FORM:

State of California

Agreement #	Improv	Improvement	Reimbursed to	Agreement Date	ierm Expiration	Number of Parcels Original Remain	or Parcels Remaining	Value of Ke Original	value of Kelmbursement Original Remaining	Number of Acres Original Remail	or Acres Remaining
RA9901	Tienda Dr Wastewater Main	Wastewater Main	Lodi Retirement Residence, LLC	07/09/1999	07/05/2014	INCFU	DED IN THE K	ETTLEMAN LN	INCLUDED IN THE KETTLEMAN LN LIFT STATION SERVICE AREA FEES	RVICE AREA	FES.
RA0001*	Low Sac. Rd Widening	Annex: c,g,swk,dwy	City of Lodi	11/08/2000	11/05/2015	3	က	\$ 54,242.00	\$ 54,242.00	1.34	1.34
RA0101	Kettleman Ln/Beckman Rd	W/WW/SD/Street improvements	City of Lodi	06/13/2001	06/09/2016	4	-	\$ 880,888.50	\$ 808,599.19	40.40	26.02
RA0201	Richards Ranch/Thayer Ranch	W/WW/SD/Street improvements	City of Lodi	02/27/2002	02/23/2017	5	က	\$ 86,979.63	\$ 13,887.36	24.95	7.93
RA0202	Sunwest Mkt (Kettleman/Lower Sac)	W/WW/SD/Street imp/traffic light	Sacramento Kettleman LLC	10/08/2002	10/04/2017	2	-	\$ 257,005.74	\$ 42,983.07	37.68	19.83
RA0301	770 N. Guild	W/WW/SD/Street improvements	Lodi Distribution Trust 2000	07/24/2003	07/20/2018	15	7	\$ 608,140.47	\$ 442,474.92	127.11	42.62
RA0302	Tienda/Lakeshore Dr	W/WW/SD/Street improvements	Tienda Partners	09/23/2003	09/19/2018	1	0	\$ 52,646.87	PAID	4.36	0.00
RA0303	Tienda Drive	Water mains/storm drains, misc.	Darrell Sasaki	08/28/2003	08/24/2018	2	2	\$ 26,962.59	\$ 37,201.70	1.77	1.77
RA0304	Harney Ln WW Lift	Harney Lane WW lift stn, misc.	K & W Development, LLC	02/09/2004	02/02/2019	38	24	\$ 887,809.89	\$ 506,662.90	226.00	105.49
RA0501	Legacy Estates (Harney/Low Sac)	W/WW/SD/Street improvements	FCB Building Partners II, L.P.	06/16/2005	06/12/2020	52	43	\$ 667,193.52	\$ 458,150.59	163.90	101.48
RA0801	Vintner's Square (Low Sac/Kettleman)	W/WW/SD/Street imp/traffic light	The Geweke Family Partnership	07/18/2008	07/15/2023	36	36	\$ 776,882.00	\$ 871,959.55	309.01	309.01
99-108	Kettleman Lane Lift Station	Kettleman Lift stn/Tienda WW main	City of Lodi	07/21/1999	07/17/2014	26	10	\$ 421,488.48	\$ 58,374.57	113.63	7.49
2001-45	Tienda Drive Imp.	Street frontage improvements	City of Lodi	02/21/2001	02/18/2016	2	-	\$ 33,689.60	\$ 10,506.66	4.80	2.67
2004-220	Kettleman Ln Gap Closure	c,g,swk & AC	City of Lodi	10/20/2004	10/17/2019	7	4	\$ 373,932.63	\$ 293,304.21	10.11	5.24
2005-24	1833 W Kettleman	Underground Aerial facilties	City of Lodi	02/02/2005	01/30/2020	2	2	\$ 75,000.00	\$ 93,327.57	1.77	1.77
2005-114	N. Lower Sac/Century Intersection	c,g,swk, signal improvements	City of Lodi	06/01/2005	05/28/2020	1	1	\$ 30,000.00	\$ 37,331.03	19.40	19.40
2007-52	Low Sac (Kettleman to Harney)	W/WW/SD/Street imp/traffic light	City of Lodi	03/21/2007	03/17/2022	28	28	\$ 902,905.00	\$ 1,078,288.91	260.70	260.70
* Reimbursement is	Reimbursement is actual cost. No ENR.										
	OTHER PERMANENT AND THE PROPERTY OF THE PROPER										
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RA9501	Century Meadows One Unit 1	W/WW/SD/street improvements	Lewis Homes of California	05/11/1994	02/02/2009	-	0	\$ 48,093.56	48,093.56 1996-PAID	15.04	0.00
RA9502	Sunwest Plaza Shopping Ctr	Water mains	First Lodi Plaza Assoc.	02/19/1994	02/15/2009	4	0	\$ 22,678.69	2001-PAID	6.85	0.00
RA9503	Century Meadows Three Unit 1,2,3	W/WW/SD/street improvements	Pacific Valley Housing Corp	08/11/1994	08/02/2009	1	0	\$ 53,160.72	2002-PAID	18.50	00.00
RA9504	Lodi Town Plaza (Target Center)	W/WW/SD/street improvements	Target Stores	09/05/1995	09/01/2010	3	0	\$ 29,367.73	1999-PAID	8.50	00.00
2003-35	Tienda Drive Imp.	W/WW/SD/street improvements	City of Lodi	03/05/2003	03/01/2018	2	0	\$ 23,588.86	23,588.86 2004-PAID		

Jennifer Robison

From: Randi Johl

Sent: Monday, October 03,201103:19 PM

To: 'Tom Atwood'

Cc: City Council; Rad Bartlam; Steve Schwabauer; Jennifer Robison

Subject: RE: Oct 5th City Council meeting- Municipal Code Chapter (LMC) 16.40 review

Thank you for your email. It was received by the City Council and made a part of the record for the upcoming October 5th meeting.

Randi Johl, JD, MMC City Clerk, City of Lodi 221 West Pine Street Lodi, California 95240 (209) 333-6702 Telephone (209) 333-6807 Facsimile

From: Tom Atwood [mailto:tatwood2000@gmail.com]

Sent: Monday, October 03,2011 03:13 PM

To: Randi Johl; Alan Nakanishi; Bob Johnson; JoAnne Mounce; Phil Katzakian; Larry Hansen

Cc: tatwood@vallejoinsurance.com

Subject: Oct 5th City Council meeting- Municipal Code Chapter (LMC) 16.40 review

October 3, 2011

Bob Johnson, Mayor Joanne Mounce, Mayor Pro Tempore Larry Hansen, Council member Phil Katzakian, Council member Alan Nakanishi, Council member

City Clerk, City of Lodi 221 West Pine Street P.O. Box 3006 Lodi, California 95241-1910

RE City of Lodi Council Meeting October 5th 2011 agenda Item G-3

Dear Mayor, Mayor Pro Tempore, City Council members and City Staff,

I am part-owner of property located at 880 North Guild Avenue Lodi CA that is part of agreement number RA0301 with improvements labeled "WWW/SD/Street Improvements". As such, I received notice regarding a proposed change/amendment to Municipal Code Chapter (LMC) 16.40 to be presented at the October 5, 2011 City Council meeting.

I request, **as** part-owner of 880 North Guild Avenue Lodi CA, that you do <u>not</u> repeal or amend Municipal Code Chapter (LMC) 16.40 regarding Reimbursements for Construction Code.

Tel: 707.980.5063

Development in the North and South Guild Ave areas from 2001 - 2007 has been outstanding, driven by location, high rate of return, inexpensive capital, and Lodi's willingness to 'get business done'. However, the national, regional, and local financial situation has slowed or stopped that pace of development since 2008. As the financial market instability continues, Lodi needs to identify and reduce barriers to the 'smart growth' that will grow its tax revenue.

One option to mitigate these 'barriers to development' is to allow Municipal Code Chapter (LMC) 16.40 to end on its designated date. Potential buyers are well aware of the financial burden of Municipal Code Chapter (LMC) 16.40. These buyers, including some interested in purchasing my available property, are showing increased interest in the Guild Ave area, in part I've been told, because of the impending end or 'sunset' of Municipal Code Chapter (LMC) 16.40. Amending this code to increase the reimbursement time will quash that interest and the potential development by a number of years.

I believe that Lodi's most vital economic goals are to create the jobs and build the businesses that will build and grow sustainable tax revenue.

Those goals are achievable if you retain Municipal Code Chapter (LMC) 16.40 as initially enacted.

Thank you for your consideration.

Sincerely,

Tom Atwood

36 Pembrook Ct Moraga CA 94556

Tom Atwood



RECEIVED 2011 OCT -3 AM 10: 52 CITY CLERK CITY OF LODI

Sep 28,2011

City Clerk, City of Lodi 221 West Pine Street P. O. Box 3006 Lodi, California 95241-1910

Kate Landers 13179 McDole Street Saratoga, CA 95070

T 408-374-1859

katelandersOmac.com

Dear City Clerk,

As a property owner on Guild Road in Lodi, I received a notice about the meeting on October 5, 2011 to discuss changes to Municipal Code Chapter (LMC) 16.40. Our property is part of agreement number RA0301 with improvements labeled "WWW/SD/Street Improvements".

I request (on behalf of myself and the co-owners of 17822 Guild Avenue) that you do not approve the extension of the Reimbursements for Construction Code. We hope to sell this land to someone who will develop it, bringing additional jobs and tax revenue to the City of Lodi. Having this reimbursement code extended makes the property less desirable for buyers and encourages it to be vacant and undeveloped for an additional 10 years. That doesn't benefit us or the City of Lodi.

Thank you for your consideration.

Kate Fanders

Sincerely,

Kate Landers



Jennifer Robison

From: Randi Johl

Sent: Tuesday, October 04,201103:28 PM

To: 'Ed Atwood'

Cc: City Council; Rad Bartlam; Steve Schwabauer; Jennifer Robison

Subject: RE: Oct 5th City Council meeting-Agenda item G-3: Municipal Code Chapter (LMC) 16.40 review

Thank you for your email Ed. It was received by the City Council and made a part of the record for the October 5th City Council meeting.

Randi Johl, JD, MMC City Clerk, City & Lodi 221 West Pine Street Lodi, California 95240 (209) 333-6702 Telephone (209) 333-6807 Facsimile

From: Ed Atwood [mailto:Ed@2atwoods.com] Sent: Tuesday, October 04,2011 03:24 PM

To: Randi Johl; Alan Nakanishi; Bob Johnson; JoAnne Mounce; Phil Katzakian; Larry Hansen

Subject: Oct 5th City Council meeting- Agenda Item G-3: Municipal Code Chapter (LMC) 16.40 review

October 4,2011

Bob Johnson, Mayor Joanne Mounce, Mayor Pro Tempore Larry Hansen, Council member Phil Katzakian, Council member Alan Nakanishi, Council member

City Clerk, City of Lodi 221 West Pine Street P.O. Box 3006 Lodi, California 95241-1910

RE City of Lodi Council Meeting October 5th 2011 agenda Item G-3

Dear Mayor, Mayor Pro Tempore, City Council members and City Staff,

I am part-owner of property located at 880 North Guild Avenue Lodi CA that is part of agreement number RA0301 with improvements labeled "WWW/SD/Street Improvements". As such, I received notice regarding a proposed change/amendment to Municipal Code Chapter (LMC) 16.40 to be presented at the October 5,2011 City Council meeting.

As part-owner of **880** North Guild Avenue Lodi, I request that you do <u>not</u> repeal or amend Municipal Code Chapter (LMC) 16.40 regarding Reimbursements for Construction Code.

Development in the North and South Guild Ave areas from 2001 – 2007 has been outstanding, driven by location, high rate of return, inexpensive capital, and Lodi's willingness to 'get business done'. However, since 2008 the national, regional, and local financial situation has slowed or stopped that pace of development. As the financial market instability continues, Lodi needs to identify and reduce barriers to the 'smart growth' that will grow its tax revenue.

One option to mitigate these 'barriers to development' is to allow Municipal Code Chapter (LMC) 16.40 to end on its designated date. Potential buyers are well aware of the financial burden of Municipal Code Chapter (LMC) 16.40. These buyers, including some interested in purchasing my available property, are showing increased interest in the Guild Ave area in part because of the impending end or 'sunset' of Municipal Code Chapter (LMC) 16.40. Amending this code to increase the reimbursement time will quash that interest and the potential development by a number of years.

I believe that Lodi's most vital economic goals are to create the jobs and build the businesses that will build and grow sustainable tax revenue. Having this reimbursement code extended makes the property less desirable for buyers and encourages it to be vacant and undeveloped for an additional 10 years.

Those goals are achievable if you retain Municipal Code Chapter (LMC) 16.40 as initially enacted.

Thank you for your consideration.

Sincerely,

Ed Atwood

119NE 56th St., Seattle, WA 98105



Please immediately confirm receipt of this fax by calling 333-6702

CITY OF LODI P. O. BOX **3006** LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT:

PUBLIC HEARING TO CONSIDER AMENDING LODI MUNICIPAL

CODE CHAPTER 16.40 - REIMBURSEMENTS FOR CONSTRUCTION - BY REPEALING AND REENACTING SECTION 16.40.050, "REIMBURSEMENT AGREEMENTS," IN ITS ENTIRETY

PUBLISH DATE:

SATURDAY, SEPTEMBER 10,2011

LEGAL AD

TEAR SHEETS WANTED:

One (1) please

SEND AFFIDAVIT AND BILL TO:

RANDI JOHL, CITY CLERK

City of Lodi P.O. Box 3006

Lodi, CA 95241-1910

DATED:

THURSDAY, SEPTEMBER 8,2011

ORDERED BY:

RANDI JOHL CITY CLERK

ENNIFER M. ROBISON, CMC

ASSISTANT CITY CLERK

MARIA BECERRA

ADMINISTRATIVE CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

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		CE MP IMP (initials)
LNS Phoned to c	onfirm receipt of all pages at (time)	CF MB JMP (initials)



NOTICE OF PUBLIC HEARING

Date: October 5,2011

Time: 7:00 p.m.

For information regarding this notice please contact:

Randi Johl

City Clerk

Telephone: (209) 333-6702



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, October 5, 2011**, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

a) Amending Lodi Municipal Code Chapter 16.40 – Reimbursementsfor Construction – by repealing and reenacting Section 16.40.050, "Reimbursement Agreements," in its entirety.

Information regarding this item may be obtained in the Public Works Department, 221 West Pine Street, Lodi, (209) 333-6706. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk, City Hall, 221 W. Pine Street, 2nd Floor, Lodi, 95240, at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the close of the public hearing.

By Order of the Lodi City Council:

Randi Johl City Clerk

Dated: September 7,2011

Approved as to form:

D. Stephen Schwabauer City Attorney



DECLARATION OF POSTING

PUBLIC HEARING TO CONSIDER AMENDING LODI MUNICIPAL CODE CHAPTER 16.40 – REIMBURSEMENTS FOR CONSTRUCTION – BY REPEALING AND REENACTING SECTION 16.40.050, "REIMBURSEMENT AGREEMENTS," IN ITS ENTIRETY

On Thursday, September **8**, 2011, in the City of Lodi, San Joaquin County, California, a Notice of Public Hearing to consider amending Lodi Municipal Code Chapter 16.40 – Reimbursements for Construction – by repealing and reenacting Section 16.40.050, "Reimbursement Agreements," in its entirety (attached and marked as Exhibit A) was posted at the following locations:

Lodi Public Library Lodi City Clerk's Office Lodi City Hall Lobby Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 8, 2011, at Lodi, California.

ORDERED BY:

RANDI JOHL CITY CLERK

JENNIFER M. ROBISON, CMC ASSISTANT CITY CLERK

MARIA BECERRA ADMINISTRATIVE CLERK



DECLARATION OF MAILING

PUBLIC HEARING TO CONSIDER AMENDING LODI MUNICIPAL CODE CHAPTER 16.40 - REIMBURSEMENTS FOR CONSTRUCTION - BY REPEALING AND REENACTING SECTION 16.40.050, "REIMBURSEMENTAGREEMENTS," IN ITS ENTIRETY

On Thursday, September 8, 2011, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a Notice of Public Hearing to consider amending Lodi Municipal Code Chapter 16.40 – Reimbursements for Construction – by repealing and reenacting Section 16.40.050, "Reimbursement Agreements," in its entirety, attached hereto Marked Exhibit A. The mailing list for said matter is attached hereto, marked Exhibit B.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 8, 2011, at Lodi, California.

ORDERED BY:

RANDI JOHL CITY CLERK, CITY OF LODI

ENNIFER M. ROBISON, CMC ASSISTANT CITY CLERK

MARIA BECERRA ADMINISTRATIVE CLERK





NOTICE OF PUBLIC HEARING

LODI CITY COUNCIL 221 W. PINE STREET, LODI, 95240 -- TELEPHONE 333-6702

DATE:

Wednesday, October 5,201 ■

TIME:

7:00 p.m., or as soon thereafter as the matter can be heard

PLACE:

Camegie Forum, 305 West Pine Street, Lodi

SUBJECT:

To consider amending Lodi Municipal Code Chapter 16.40 – Reimbursements for Construction – by repealing and reenacting Section 16.40.050, "Reimbursement Agreements," in its entirety.

(SEE ATTACHED for additional information regarding this matter, as specified in Lodi Municipal Code Section 16.40.050 C. 3)

INFORMATION REGARDING THIS MATTER MAY BE OBTAINED IN THE OFFICE OF PUBLIC WORKS, 221 W. PINEST., LODI.

WRITTEN STATEMENTS MAY BE FILED WITH THE CITY CLERK, 221 W. PINE ST., 2^{ND} FLOOR, LODI, AT ANY TIME PRIOR TO THE HEARING SCHEDULED HEREIN, AND ORAL STATEMENTS MAY BE MADE AT SAID HEARING.

ANYONE WISHING TO BE HEARD ON THE ISSUEMAYAPPEAR BEFORETHECITY COUNCILATTHETIME OF THE PUBLIC HEARING.

IF YOU CHALLENGE THE PROPOSED ACTION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY CLERWCITY COUNCIL AT, OR PRIOR TO, THE PUBLIC HEARING.

Date Mailed: September 8, 2011

RANDI JOHL

CITY CLERK OF THE CITY OF LODI

AGENDA ITEM C-18



AGENDA TITLE: Set Public Hearing for October 5, 2011, to Consider Amending Lodi Municipal

Code Chapter 16.40 "Reimbursements for Construction" by Repealing and Re-enacting Section 16.40.050 "Reimbursement Agreements" in its Entirety

MEETING DATE: September 7, 2011

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Set Public Hearing for October 5, 2011, to consider amending Lodi

Municipal Code Chapter 16.40 "Reimbursement for Construction" by repealing and re-enacting Section 16.40.050 "Reimbursement

Agreements" in its entirety.

BACKGROUND INFORMATION: Lodi Municipal Code Chapter (LMC) 16.40 regarding

"Reimbursements for Construction" identifies the improvements which are reimbursable under the development impact mitigation fee program and establishes a uniform reimbursement procedure for

the cost of improvements which are to be reimbursed from other parties.

Currently, Section 16.40.050-A.4 Reimbursement Agreements, provides that the City will collect the appropriate charge from the properties identified in the agreement and reimburse the applicant or the applicant's heirs, successors or assigns, for a period of 15 years from the date of the agreement only. Reimbursement agreements to recover funds advanced by the City for projects shall expire after 15 years; reimbursement charges will not be collected after that time. In large part, the reimbursement charges apply to future residential development.

The current economic downturn has resulted in a general stoppage of most new development and particularly residential development. The current trends suggest the duration of the downturn will extend for up to 10 years.

The ordinance to be considered at the Public Hearing would amend LMC Section 16.40.050to extend all existing reimbursement agreements for a period of 10 years. As a result, properties that have not paid reimbursements included in the existing reimbursement agreements will be required to reimburse the applicant for a period not to exceed 25 years. The proposed amendments are presented in Exhibit A.

Presently, there are 17 active reimbursement agreements. A summary of these agreements is provided in Exhibit B.

FISCAL IMPACT:	None.		
FUNDING AVAILABLE:	Not applicable.		
FWS/pmf Attachments		F. Wally Sandelin Public Works Director	_
	APPROVED:	Konradt Bartlam, Citv Manager	

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING LODI MUNICIPAL CODE CHAPTER 16.40 "REIMBURSEMENTS FOR CONSTRUCTION" BY REPEALING AND RE-ENACTING SECTION 16.40.050 "REIMBURSEMENT AGREEMENTS" IN ITS ENTIRETY.

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

<u>SECTION 1</u>. Lodi Municipal Code Chapter 16.40 – "Reimbursements for Construction" is hereby amended by repealing and re-enacting Q16.40.050"Reimbursement Agreements" in its entirety, to read as follows:

16.40.050 Reimbursement Agreements

- **A.** Within sixty days of receipt of a completed application, the public works director shall prepare a reimbursement agreement containing the following provisions:
 - The amount of reimbursable costs shall include construction costs less any applicable credits plus ten percentfor administrative and engineering costs. Applicable city engineering and processing fees shall also be added. Costs of financing, bonds or other applicant costs shall not be included.
 - 2. The total reimbursable cost shall be apportioned to the benefiting properties as appropriate. Costs of transitions, utility stubs or other minorwork shall not be apportioned to adjacent property.
 - 3. The reimbursable amount shall be recalculated annually to include an amount attributable to interest, using the Engineering News Record20 Cities Construction Cost Index as of the end of the year. The reimbursable amount for subsequent years shall be the prior year reimbursable amount less any reimbursements made during the year, all multiplied by the percentage change in the index over the year.
 - 4. The agreement shall provide that the city will collect the appropriate charge from the properties identified in the agreement and reimburse the applicant or the applicant's heirs, successors or assigns, for a period of fifteen years from the date of the agreement only. Reimbursementagreements to recover funds advanced by city for projects shall expire after fifteen years; reimbursement charges will not be collected after that time unless the City Council approves a time extension to Reimbursement Agreement as provided in this chapter.
 - 5. Upon written request of the applicant or the applicant's heirs, successors or assigns, and a showing that economic conditions prevented construction necessary to reimburse less than fifty percent (50%) of the applicant's construction costs, the City Council may approve time extensions to reimbursementagreements. The application shall be filed at least one year prior to the Reimbursement Agreement's expiration. Applicant shall reimburse the City for all staff and other costs associated with processing the application.
- B. The reimbursement agreement shall be numbered and filed by the Public Works

Director-

- <u>CB.</u>Prior to the adoption of a resolution approving the reimbursement agreement or extension of a reimbursement agreement the city shall within ninety days of receipt of a completed application conduct a public hearing as follows:
 - At least ten days prior to the date and time set for the hearing before the city council, give a notice by first class mail, postage prepaid to the addresses as shown on the latest equalized assessmentroll of San Joaquin County, to the owners of each parcel identified in the reimbursement agreement as benefited.
 - 2. The notice shall state the date, time, and location set for such hearing.
 - 3. Include in such notice to property owners as required under **(l)**bove a statement of the nature of the improvements costs as provided in subsection A of this section, and list of the addresses or a map delineating all parcels identified in the reimbursement agreement as benefited.
 - 4. The hearing on such reimbursementagreement shall take place before the city council, at which time all interested parties shall be heard. The council shall determine what properties are benefited, the costs and a fair method of allocation of costs to the properties benefited, and an apportionment of such costs.

<u>SECTION 3.</u> No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

<u>SECTION 4.</u> Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

<u>SECTION 5</u>. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

<u>SECTION 6</u>. This ordinance shall be published pursuant to law and shall become effective 30 days from the date of passage and adoption.

Approved this _	day of	,2011

ATTEST:		
RANDI JOHL City Clerk		
State of California County of San Joaq	uin, ss.	
was introduced at a and was thereafter	regular meeting of the City Co	do hereby certify that Ordinance No ouncil of the City of Lodi held July 6,2011, ed to print at a regular meeting of said vote:
AYES:	COUNCIL MEMBERS -	
NOES:	COUNCIL MEMBERS -	
ABSENT:	COUNCIL MEMBERS -	
ABSTAIN:	COUNCIL MEMBERS -	
I further certi the date of its passa	ify that Ordinance No wage and the same has been p	as approved and signed by the Mayor on ublished pursuant to law.
APPROVED TO FC	DRM:	RANDI JOHL City Clerk
D. STEPHEN SCHV	VABAUER	

Agreement #	Improv	ement		Agreement Date	A STATE OF THE PROPERTY OF THE STATE OF THE	Númber Original	of Parcels Remaining		elmbursement Remaining		of Acres
RA9901	Tienda Dr Wastewater Main	Wastewater Main	Lodi Retirement Residence. LLC	07/09/1999	07/05/2014				LIFT STATIONS		
RA0001*	Low Sac Rd Widening	Annex ¢,g,swk,dwy	City of Lodi	11/08/2000	11/05/2015	3	3	\$ 54,24200		1 34	134
RA0101	Kettleman Ln/Beckman Rd	W/WW/SD/Street improvements	Clly of Lodi	06/13/2001	06/09/2016	4	1	\$880,66650	\$ 808.59919	40 40	26 02
RA0201	Richards Ranch/Thayer Ranch	W/WW/SD/Street improvements	Crty of Lodi	02/27/2002	02/23/2017	5	3	\$ 86.97963	\$ 13.88736	24 95	7 93
RA0202	Sunwest Mkt(Kettleman/Lower Sac)	W/WW/SD/Street Imp/traffic light	Sacramento Kettleman LLC	10/08/2002	10/04/2017	2	1	\$257,00574	\$ 42,98307	37 68	1963
RA0301	770N Guild	W/WW/SD/Street improvements	Lodi Distribution Trust 2000	07/24/2003	07/20/2018	15	7	5608.14047	\$ 442,47492	12711	42 62
RA0302	Tienda/Lakeshore Dr	W/WW/SD/Street improvements	Tienda Partners	09/23/2003	09/19/2018	1	0	\$ 52,64687	PAID	4 36	0 00
RA0303	Tienda Dnve	Water mains/storm drains. misc	Darrell Sasaki	08/26/2003	08/24/2018	2	2	\$ 26,96259	\$ 37,201 70	1 77	177
_ RA0304	Hamey Ln WW Lift	Hamey Lane WW lift stn. misc	K & W Development, LLC	02/09/2004	02/05/2019	38	24	\$867,60989	\$ 506.66290	22600	10549
RA0501	Legacy Estates (Hamey/Low Sac)	W/WW/SD/Street improvements	FCB Building Partners II, LP	06/16/2005	06/12/2020	52	43	\$667,19352	\$ 458,15059	16390	101 48
RA0801	Vintner's Square (Low Sac/Kettleman)	W/WW/SD/Street imp/traffic light	The Geweke Family Partnership	07/18/2008	07/15/2023	36	36	\$776,68200	\$ 871.95955	309 01	309 01
99-108	Kettleman Lane Lift Station	Kettleman Lift stn/Tienda WW main	Clly of Lodi	07/21/1999	07/17/2014	26	10	\$421.46648	\$ 58.37457	11363	7 49
2001-45	Tienda Dnve Imp	Streetfrontage improvements	Crty of Lodi	02/21/2001	02/18/2016	2	1	\$ 33,66960	\$ 10,50666	4 80	267
2004-220	Kettleman Ln Gap Closure	cg.swk & AC	City of Lodi	10/20/2004	10/17/2019	7	4	\$373,93263	\$ 293,30421	10.11	5 24
2005.24	1633W Kettleman	UndergmundAenalfacilties	City of Lodi	02/02/2005	01/30/2020	2	2	\$ 75,00000	\$ 93,32757	■77	177
2005.114	N LowerSac/Century Intersection	c,g,swk, signal improvements	City of Lodi	06/01/2005	05/26/2020	1	1	\$ 30,00000	\$ 37.331 03	1940	19 40
2007-52	Low Sac (Kettleman to Harney)	W/WW/SD/Street imp/traffic light	Crty of Lodi	03/21/2007	03/17/2022	26	28	\$902,905 00	\$1,076 288 91	26070	26070
* Reimbursementis	actual cost No ENR										
COMPLETED/EXP	RED REIMBURSEMENT AGREEMENTS			<u> </u>	y In the second	100 m					
RA9501	Century Meadows One Unit 1	W/WW/SD/street improvements	Lewis Homes of California	05/11/1994	05/07/2009	1	0	\$ 48,093.56		15.04	0.00
RA9502	Sunwest Plaza Shopping Ctr	Water mains	First Lodi Plaza Assoc.	02/19/1994	02/15/2009	4	0	\$ 22,678.69	2001-PAID	6.85	0.00
RA9503	Century MeadowsThree Unit 1,2,3	W/WW/SD/street improvements	Pacific Valley Housing Corp	08/11/1994	06/07/2009	1	0	\$ 53,16072	2002-PAID	1850	0 00
RA9504	Lodi Town Plaza (Target Center)	W/WW/SD/street improvements	Target Stores	09/05/1995	09/01/2010	3	0	\$ 29,36773	1999-PAID	8 50	0 00
200535	Tienda Dnve Imp	W/WW/SD/street improvements	City of Lodi	03/05/2003	03/01/2016	2	0	\$ 23,588 86	2004-PAID		

RA#	Owner-mailing address	APN	Situs Address
2007-52	BDC Lodi III	058-030-13 (Retired parcel # 058-030-02)	1551 S. Lower Sacramento
02-02	100 Swan Way Suite 206	058-030-11	1440 Westgate Drive
08-01	Oakland, CA 94621		
2007-52	Van Ruiten Ranch LP P. O. Box 520 Woodbridge, CA 95258	058-030-17 (retired parcel # 058-030-03)	2015 S. Lower Sacramento
2007-52	Lodi LSR Properties LLC	058-030-04	1805 S. Lower Sacramento
	10100 Trinity Pkwy Suite 420 Stockton, CA 95219-7241	058-030-16 (retired parcel # 058-030-05)	1901 S. Lower Sacramento
2007-52	Howard Investments LLC et al 6360 Pacific Avenue Stockton. CA 95207-3714	058-030-06	2057 S. Lower Sacramento
2007-52	Weldon & Bonnie Schumacher	058-040-01	2125 S. Lower Sacramento
03-04	1303 Rivergate Drive	058-040-02	2375 S. Lower Sacramento
05-01	Lodi, CA 95240-0549	058-040-04	2463 S. Lower Sacramento
		058-040-05	2557 S. Lower Sacramento
		058-230-10	13520N. Lower Sacramento
2007-52	Brian Hayn	058-070-07	810 E. Harney lane
	810 E. Harney Lane Lodi. CA 95242-9534		· ·
2007-52	Lyndle A. Bell	058-070-08	814 E. Harney Lane
	814 E. Harney Lane		
2007.52	Lodi, CA 95242	050 070 00	OOO E Hamay Land
2007-52	Dale Goff	058-070-09	880 E. Harney Lane
	880 E. Harney lane		
2007-52	Lodi, Ca Dean & Sharon Frame	058-140-04	1602 S. Lower Sacramento
2007-52	2 12 Rutledge Drive	050-140-04	1002 B. Lower Sacramento
	Lodi, CA 95242-2632		
	Loui, CA 33242-2032		<u> </u>

RA#	Owner-mailinn address	APN	Situs Address
2007-52	Taj Khan	058-140-05	1618 S. Lower Sacramento
	1112 Rivergate Drive		
	Lodi, CA 95240-0555	270 110 01	1.000
2007-52	Charlene K Herrmann	058-140-06	1626 S. Lower Sacramento
1	330 S. Fairmont Avenue #3		
2007.50	Lodi, CA 95240-3843	050 140 07	1624.0 1 0
2007-52	Santiago & Ramona Del Rio	058-140-07	1634 S. Lower Sacramento
	15315 N. Hoerl Rod	058-140-09	1650 S. Lower Sacramento
2007.52	Lodi. CA 95240-9493 Frank Hall	058-140-08	1642 S. Lower Sacramento
2007-52		038-140-08	1042 S. Lower Sacramento
	2613 W. Harney Lane Lodi, CA 95242-9570		
2007-52	Asif Khan	058-140-10	1658 S. Lower Sacramento
2007-32	930 E. Olive Avenue	030-140-10	1030 S. Lower Sacramento
	Lodi, CA 95242-9227		
2007-52	Zane & Patsy Grever	058-140-11	1610 S. Lower Sacramento
1 2007 32	1432 Park Street		
	Lodi, CA 95242-3837		
2007-52	Bill Peterson	058-140-12	1784 S. Lower Sacramento
2005-24	P. O. Box 473	058-140-52 (Retired parcel 058-140-52)	1920 S. Lower Sacramento
	Lockeford. CA 95237	, ,	
2007-52	Ruth Person	058-140-14	1690N. Lower Sacramento
	P. O. Box 331		
	Sutter Creek, CA 95685		
2007-52	Mark & Eleanor Galindo	058-230-06	871 E. Harney Lane
	P. O. Box 5396		
	Stockton, CA 95205-0396		200 7 11
2007-52	Larry & Goreti Stice	058-230-07	893 E. Harney Lane
	893 E. Harney Lane		
	Lodi, CA 95242		1

RA#			1
	Owner-mailing address	APN	Situs Address
2887-52 2887-52	Job & Elena Sanchez	058-230-08	909 E. Harney Lane
	909 E. Hamey Lane		
	Lodi, CA 95242-9591		
2007-52	Lorenzo & Margarit Sandoval	058-230-09	931 E. Hamey Lane
	931 E. Harney Lane		
	Lodi. CA 95242		
2005-24	Millsbridge Office Park East	031-330-10 (Retired parcel 031-040-40)	1811 W. Kettleman
2004-220	P. O. Box 1598		
03-03	Lodi. CA 95241		
2005-24	Mary Tsutaoka	031-330-09 (Retired parcel #031-040-20)	1833 W. Kettleman
2004-220	P. O. Box 373		
99-108	Lodi, CA 95241-0373		
03-03			
2004-220	Brittany LLC	027-410-20 (Retired Parcel #027-040-84)	21 15 W. Kettleman
99-108	P. O. Box 1510		
<u> </u>	Lodi, CA 95241-1510		
2004-220	Church of God	027-410-22	2 100 Tienda Drive
	2 100 Tienda Drive		
	Lodi, CA 95242		
2001-45	Lodi First Nazarene Church	027-410-16 (Retire parcel #027-040-17)	2223 W. Kettleman
99-108	2223 W. Kettleman		
	Lodi. CA 95242	-	
99-108	Clarence & Luella Severson	027-410-23 (Retired Parcel #027-040-74)	2050 Tienda Drive
	2050 Tienda Drive		
	Lodi, CA 95242		
99-108	John & Kerry Giannoni	027-410-19 (Retired Parcel #027-040-83)	2110 Tienda Drive
	2960 Applewood Drive		
	Lodi, CA 95242		
99-108	Robert Rodriguez	031-290-29 (Retired Parcel #031-040-10)	1219 Stonebridge Drive
	1219 Stonebridge		
	Lodi, CA 95242		

RA#	Owner mailing address	APN	Situs Address
99-108 99-108	Owner-mailing address		
1 99-108	Jerry Munoz	031-040-47 (Retired Parcel # 031-040-11)	1239 Stonebridge Drive
	1239 Stonebridge		
00.100	Lodi. CA 95242	024.04044	
99-108	Cynthia Sturdivant	031-040-14	1271 Stonebridge
	1271 Stonebridge		
	Lodi, CA 95242-9178		
99-108	Gregory Faught	031-040-48(Formerly 031-040-152)	1245 Stonebridge
	1245 Stonebridge		
	Lodi, CA 95242-9178		
01-01	GFLIP III LTD PTP LP	049-310-64	1250 S. Beckman Road
	P. O. Box 1420		
1	Lodi. CA 95241		
02-01	Donald & Nancy Miller	062-290-38	349 E. Harney Lane
	349 E. Harney Lane	062-290-14	415 E. Harney Lane
	Lodi, CA 95240	062-290-37	401 E. Harney Lane
03-01	Robert & Sandra Moreland	049-340-06 (Retired parcel #049-080-18)	699 N. Guild Avenue
	835 San Francis Avenue	,	
	Stockton, CA 95210-1131		
03-01	Robert & Sandra Moreland	049-340-02 (Retired parcel #049-080-19)	775 N. Guild Avenue
	775 N. Guild Avenue	,	1
	Lodi, CA 95240-0861		
03-01	Gregory Carpenter	049-330-10 (Retired parcel #049-080-82)	1390 E. Turner Road
	P. O. Box 186	, , ,	
	Clements. CA 95227		
03-01	Richard Kulka	049-330-23 (Retired parcel #049-080-81)	1399 E. Turner Road
	2821 Darnby Drive	049-330-24 (Retired parcel #049-080-77)	1030N. Guild
	Oakland, CA 94611	(11 12 F	
03-01	Cranbrook Realty Investment	049-330-22 (Retired parcel #049-080-32)	1240N. Guild
	4701 Sisk Road Suite 101	213 22 (216mou parosi 11 3 0 0 0 2)	
	Modesto, CA 95356		

RA#	Owner-mailing address	APN	Situs Address
03-01	Edward Atwood Trust	049-330-08 (Retired parcel #049-080-05)	880 N. Guild
	13179McDole Street		· ·
	Saratoga, CA 95070-4620		
03-04	Nick & JL Farros	058-210-04	1649 W. Harney Lane
	1649 W. Harney Ln	058-210-03	1749 W. Harney Lane
	Lodi, CA 95242		
03-04	Donald & Susan Lackyard	058-230-21	1477 E. Harney Lane
	1477 E. Harney Lane		
	Lodi, CA 95240		
03-04	Lorenzo & Margarite Sandoval	058-230-09	931 E. Harney Lane
05-01	931 E. Harney Lane		
	Lodi, CA 95242		
03-04	Job & Elena Sanchez	058-230-08	909 E. Harney Lane
05-01	909 E. Harney Lane		
	Lodi, CA 95242-9591		
03-04	Larry & Goretti Stice	058-230-07	893 E. Harney Lane
05-01	893 E. Harney Lane		
	Lodi, CA 95242		
03-04	Mark & Eleanor Galindo	058-230-06	871 E. Harney Lane
05-01	P. O. Box 5396		
	Stockton, CA 95205-0396		
03-04	John & Marilyn Martin	058-220-01	791 E. Kristen Court
	791 Kristen Court		
	Lodi, CA 95242-9554		
03-04	Freddie & Khristina Vaughn	058-220-02	805 E. Kristen Court
05-01	805 Kristen Court		
	Lodi, CA 95242		
03-04	Marty & Kimi Rosen	058-220-03	833 E. Kristen Court
05-01	899 Kristen Court		
	Lodi, CA 95242-9554		

RA#	Owner-mailing address	APN	Situs Address
03-04	William & Bonnie Neumann	058-220-04	865 E. Kristen Court
05-01	865 Kristen Court		
	Lodi, CA 95242		
03-04	Floyd & Lace Nordwick	058-220-05	895 E. Kristen Court
05-01	895 Kristen Court		
	Lodi, CA 95242		
03-04	Steve & Kim Azevedo	058-220-06	909 E. Kristen Court
05-01	000 Kister Court		
	Lodi, CA 95242		
03-04	Sam and Lorna Louie	058-220-08	910 E. Kristen Court
05-01	910 Kristen Court		
	Lodi, CA 95242		
03-04	Kenneth & Y Yamashita	058-220-09	884 E. Kristen Court
05-01			
	Lodi, CA 95240		
03-04	Michael Faught	058-220-10	860 E. Kristen Court
05-01	860 Kristen Court		
	Lodi, CA 95242-9554		
03-04	Elmer & S Langworthy	058-220-11	13710 Hartley Lane
05-01	13710 Hartley Lane		
	Lodi, CA 95240		
03-04	Woodburn & Claire Lear	058-220-12	13696N. Hartley Lane
05-01	13696 Hartley Lane		
	Lodi, CA 95242-9552		
03-04	Bruce & Janeen Wood	058-220-13	867 E Tehema Drive
05-01	867 Tehama Drive		
	Lodi, CA 95242		
03-04	Randall & Deborah Parrish	058-220-14	889 E. Tehama Drive
05-01	889 Tehama Drive		
	Lodi, CA 95242		

RA#	Owner-mailing address	APN	Situs Address
03-04	Daniel & Denise Ortega	058-220-15	909 E. Tehama Drive
05-01	909 Tehama Drive		
	Lodi, CA 95242		
03-04	Robert & Vicky Weidner	058-220-16	910 E. Tehema Drive
05-01	910 Tehama		
	Lodi, CA 95242-9553		
03-04	Robert & R Hathaway	058-220-17	890 E. Tehama Drive
05-01	890 Tehama Drive		
	Lodi, CA 95242		
03-04	Harvey & Cathy Webb	058-220-18	868 E. Tehama Drive
05-01	P. O. Box 244		
	Wallace, CA 95254		
03-04	Khurram Shahzad	058-220-19	830 E. Tehema Drive
05-01	830 Tehama Drive		1
	Lodi. CA 95242-9553		
03-04	Gerald & Laurel Wisenor	058-220-20	808 E. Tehama Drive
05-01	808 Tehama Drive		
	Lodi, CA 95242-9553		
03-04	Nhi & Minh Luu	058-220-22	13625N. Hartley Lane
05-01	13625 Hartley Lane		
	Lodi, CA 95242		
03-04	Federal national Mortgage Assn	058-220-23	13675N. Hartley Lane
05-01	1800 Tap Canyon Road		
	Simi Valley, CA 93063		
03-04	San Joaquin County	058-220-24	13705 Hartley Lane
05-01	San Joaquin County 44 N. San Joaquin St. Stockton Ch. 95202		2000 G X
03-04	Tsugio Kubota	058-230-04	2398 S. Lower Sacramento Rd
05-01	1500 Vista Drive		1
	Lodi. CA 95242		

RA#	Owner-mailing address	APN	Situs Address
03-04	Earl & Naomi Rieger	058-040-06	395 E. Harney Lane
05-01	395 E. Harney Lane		
	Lodi, CA 9 5242		
03-04	Larry Wells	058-040-07	427 E. Harney Lane
05-01	427 E. Harney Lane		
	Lodi, CA 95240		
03-04	Norene Dietrich	058-040-08	463 E. Harney Lane
05-01	463 E. Harney Lane		
	Lodi, CA 95240		
03-04	Phyllis Mastel	058-040-09	499 E. Harney Lane
05-01	499 E. Harney Lane		
	Lodi, CA 95240		
03-04	Joe Alvarez	058-040-10	533 E. Harney Lane
05-01	533 E. Harney lane		
	Lodi, CA 95242		
03-04	Robert Pinnell	058-040-11	2627 W. Harney Lane
05-01	P. O. Box 155		
	Victor, CA 95253-0155		
03-04	Frank Hall	058-040-12	2613 W. Harney Lane
05-01	2613 W. Harney Lane		
	Lodi, CA 95242-9570		
03-04	W. L. Investor	058-040-13	641 E. Harney Lane
05-01	10100 Trinity Pkwy Suite 420		
	Stockton, CA 95219-7241		2040 W. H.
03-04	Joey Tamura	058-040-14	2948 W. Harney Lane
05-01	788 W. Armstrong Rd		
	Lodi, CA 95242-9544		272 F. H.
03-04	Robert Van Ruiten	058-040-15	373 E. Harney Lane
05-01	P. O. Box 548		
	Woodbridge, CA 95258		

RA#			
08-01	Owner-mailing address	APN	Situs Address
08-01	Frances Gutierrez	027-060-01	383 E. Taylor Rd
	383 Taylor Rd Lodi, CA 95242-9233		
08-01	Steve Culbertson	027-060-03	419 E. Taylor Rd
	810 W. Elm Street Lodi, CA 95240-1808		
08-01	Daniel & S McNeil	027-060-05	441 E. Taylor Rd
	441 Taylor Rd Lodi, CA 95240		
08-01	Debra Frey	027-060-06	453 E. Taylor Rd
	9900 Pringle Avenue Galt, CA 95632	027-060-08	
08-01	Domingo Sanchez	027-060-09	517 E Taylor Rd
	517 Taylor Rd		
	Lodi, CA 95240		
08-01	D & B Sasaki Enterprises, Inc.	027-060-10	555 E. Taylor Rd
	1806 W. Kettleman Lane Lodi, CA 95242		
08-01	Kenneth Reiswig	027-060-12	589 E. Taylor Rd
	5671 W. Kingdon Road Lodi, CA 95242-9532		
08-01	Kenneth & Christin Roberson	027-060-13	619 E. Taylor Rd
	23020 N. Sowles Rd		
	Acampo, <u>CA 95220-9608</u>		
08-01	Ben & Renee Vander Heiden	027-060-27	681 E. Taylor Rd
	681 Taylor Rd		1
	Lodi, ČA 95242	027 060 20	COS E Tarala a D.I
08-01	Randy Zapara	027-060-29	695 E. Taylor Rd
	695 E. Taylor Rd		
	Lodi, CA 95240		

RA#	Owner-mailing address	APN	Situs Address
08-01	Dave & Kathleen William 1213 W. Lockeford Street Lodi, CA 95240	027-060-35	15401 N. Lower Sacramento Rd
08-01	Leland Frey 485 Taylor Rd Lodi, CA 95242	027-060-44 (Retired parcel #027-060-39	485 E. Taylor Rd
08-01	Georgia Perlegos P. O. Box 1823 Lodi, CA 95241	029-380-05	2875 W. Lodi Avenue
08-01	Jeffrey Traverso 5237 Verdi Way Stockton, CA 95207-5321	027-400-01	3050 W. Lodi Avenue
08-01	DHKS Dev Co 621 Evergreen Drive Lodi, CA 95242-4683	027-400-02	2950 W. Lodi Avenue
08-01	WL Investor LP 10100 Trinity Parkway Suite 420 Stockton, CA 95219	027-400-03	2800 W. Lodi Avenue
08-01	Maxine Christesen Family 179 E. Taylor Rd Lodi, CA 95242	027-050-01 027-050-02	179 E. Taylor Rd 351 E. Taylor Rd
08-01	Richard Reimche 3900 Pelandale Avenue #420 Modesto, CA 95356-9104	027-050-03	345 E. Taylor Rd
08-01	Angelos Parisis 9949 Fernwood Avenue Stockton, CA 95212	027-050-10 027-050-12	306 E. Taylor Rd 180 E. Taylor Rd
08-01	Miyoko Kaba 2332 Rockingham Circle Lodi, CA 95242	027-050-11	240 e. Taylor Rd

RA#	Owner-mailing address	APN	Situs Address
08-01	David Dollinger 101 E. Hwy 12 Lodi, CA 95240	027-050-15	31 E St., RT. 12 HY
08-01	Bob & Judith Brown 35 E. Hwy 12 Lodi, CA 95242	027-050-16	35 E St. RT 12 HY
08-01	Leroy & Gladys Dollinger 101 E. Hwy 12 Lodi, CA 95242	027-050-18	101 E St, RT 12 HY
08-01	Lamar & Joann Hedrick 209 E. Hwy 12 Lodi, CA 95242	027-050-19 027-050-20	209 E St, RT 12 HY 291 E. St, RT 12 HY
08-01	Geweke Family LTD 2475 Maggio Circle Lodi, CA 95240	027-050-21	341 E St, RT 12 HY
08-01	Nhon & Lisa Vien 16160 Moore Rd Lodi, CA 95242-9223	027-050-24	68 E. Taylor Rd
08-01	Richard & Pamela 16 E. Taylor Rd Lodi, CA 95242	027-050-25	16E Taylor Rd
08-01	Andrew Reichmuth 424 Daisy Lodi, CA 95240-1010	058-030-09	3002 W. Kettleman
08-01	Wal Mart Real Est Mail Stop 0555 Bentonville, AZ 72716-555	058-030-12	1600 Westgate Drive



DECLARATION OF MAILING

LETTER AND CORRECTED ORDINANCE RELATING TO THE PUBLIC HEARING TO CONSIDER AMENDING LODI MUNICIPAL CODE CHAPTER 16.40 - REIMBURSEMENTS FOR CONSTRUCTION - BY REPEALING AND REENACTING SECTION 16.40.050. "REIMBURSEMENT AGREEMENTS," IN ITS ENTIRETY

On Thursday, September 15, 2011, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a letter and corrected ordinance relating to the public hearing to consider amending Lodi Municipal Code Chapter 16.40 - Reimbursements for Construction - by repealing and reenacting Section 16.40.050, "Reimbursement Agreements," in its entirety, attached hereto Marked Exhibit A. The mailing list for said matter is attached hereto, marked Exhibit B.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 15, 2011, at Lodi, California.

ORDERED BY:

RANDI JOHL CITY CLERK, CITY OF LODI

AŠSISTANT CITY CLERK

MARIA BECERRA ADMINISTRATIVE CLERK CITY COUNCIL

B 0 8 JOHNSON, Mayor
JOANNE MOUNCE,
Mayor Pro Tempore
LARRY D. HANSEN
PHIL KATZAKIAN

ALAN NAKANISHI

CITY OF LODI

P.O. BOX 3006

LODI, CALIFORNIA 95241-1910

(209) 333-6702 / FAX (209) 333-6807

www.lodi.gov cityclerk@lodi.gov

KONRADT BARTLAM
City Manager
RANDI JOHL, City Clerk
D. STEPHEN SCHWABAUER
City Attorney

September 15, 2011

Interested Parties:

Please note that included with the public hearing notice you previously received regarding the amendment to Lodi Municipal Code Section 16.40.050, "Reimbursement Agreements," a prior version of the ordinance was inadvertently attached. Enclosed with this letter, you will find the corrected ordinance that is proposed to be introduced at the public hearing scheduled before the Lodi City Council on October 5 at 7 p.m., or as soon thereafter as the matter may be heard.

Should you need further information regarding this matter, please contact the Public Works Department, 221 West Pine Street, Lodi, (209) 333-6706. As stated in the public hearing notice, all interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk, City Hall, 221 W. Pine Street, 2nd Floor, Lodi, 95240, at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

Sincerely

City Clerk

RJ/JMR

Enclosure

cc: Public Works Department

ORDIN	ANCE	NO.	
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AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING LODI MUNICIPAL CODE CHAPTER 16.40 "REIMBURSEMENTS FOR CONSTRUCTION" BY REPEALING AND RE-ENACTING SECTION 16.40.050 "REIMBURSEMENT AGREEMENTS" IN ITS ENTIRETY.

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

<u>SECTION 1</u>. Lodi Municipal Code Chapter 16.40 – "Reimbursements for Construction" is hereby amended by repealing and re-enacting §16.40.050 'Reimbursement Agreements" in its entirety, to read as follows:

16.40.050 Reimbursement Agreements

- A. Within sixty days of receipt of a completed application, the public works director shall prepare a reimbursement agreement containing the following provisions:
 - The amount of reimbursable costs shall include construction costs less any applicable credits plus ten percent for administrative and engineering costs. Applicable city engineering and processing fees shall also be added. Costs of financing, bonds or other applicant costs shall not be included.
 - 2. The total reimbursable cost shall **be** apportioned to the benefiting properties as appropriate. Costs of transitions, utility stubs or other minor work shall not be apportioned to adjacent property.
 - 3. The reimbursable amount shall be recalculated annually to include an amount attributable to interest, using the Engineering News Record 20 Cities Construction Cost Indexas of the end of the year. The reimbursable amount for subsequent years shall be the prior year reimbursable amount less any reimbursements made during the year, all multiplied by the percentage change in the index over the year.
 - 4. The agreement shall provide that the city will collect the appropriate charge from the properties identified in the agreement and reimburse the applicant or the applicant's heirs, successors or assigns, for a period of fifteen years from the date of the agreement only. Reimbursementagreements to recover funds advanced by city for projects shall expire after fifteen years; reimbursement charges will not be collected after that time unless the City Council approves a time extension to Reimbursement Agreement as provided in this chapter except as set forth in Paragraph 5 of this section.
 - 5. Upon written request of the applicant or the applicant's heirs, successors or assigns, and a showing that economic conditions prevented construction necessary to reimburse less than fifty percent (50%) of the applicant's construction costs, the City Council may approve time extensions to reimbursement agreements. The application shall be filed at least one year prior to the Reimbursement Agreement's expiration. Applicant shall reimburse the City for all staff and other costs associated with processing the

application. All reimbursementagreements in effect prior to October 5,2011 are hereby extended ten (10) years from their original expiration date, giving them a life of 25 years.

B. The reimbursement agreement shall be numbered and filed by the Public Works Director.

- <u>CB.</u>Prior to the adoption of a resolution approving the reimbursement agreement or extension of a reimbursement agreement the city shall within ninety days of receipt of a completed application conduct a public hearing as follows:
 - At least ten days prior to the date and time set for the hearing before the city council, give a notice by first class mail, postage prepaid to the addresses as shown on the latest equalized assessment roll of San Joaquin County, to the owners of each parcel identified in the reimbursement agreement as benefited.
 - 2. The notice shall state the date, time, and location set for such hearing.
 - 3. Include in such notice to property owners as required under (1) above a statement of the nature of the improvements costs as provided in subsection A of this section, and list of the addresses or a map delineating all parcels identified in the reimbursement agreement as benefited.
 - 4. The hearing on such reimbursement agreement shall take place before the city council, at which time all interested parties shall be heard. The council shall determine what properties are benefited, the costs and a fair method of allocation of costs to the properties benefited, and an apportionment of such costs.

<u>SECTION 3.</u> No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

<u>SECTION 4.</u> Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

<u>SECTION 5</u>. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

<u>SECTION 6</u>. This ordinance shall be published pursuant to law and shall become effective **30** days from the date of passage and adoption.

Approved this	dayof	.2011

		Bob Johnson Mayor
ATTEST:		Mayor
RANDI JOHL City Clerk		
State of Califo County of San		
was introduced and was there	at a regular meeting of the City	odi, do hereby certify that Ordinance No Council of the City of Lodi held July 6,201 1, dered to print at a regular meeting of said ring vote:
AYES:	COUNCIL MEMBERS	_
NOES:	COUNCIL MEMBERS	_
ABSEN	T: COUNCIL MEMBERS	_
ABSTA	N: COUNCIL MEMBERS	-
	certify that Ordinance No assage and the same has bee	_ was approved and signed by the Mayor on en published pursuant to law.
APPROVED T	O FORM:	RANDI JOHL City Clerk
D. STEPHEN	SCHWABAUER	
City Attorney		

RA#	Owner-mailing address	APN	Situs Address
2007-52	BDC Lodi III	058-030-13 (Retired parcel # 058-030-02)	1551 S. Lower Sacramento
02-02	100 Swan Way Suite 206	058-030-11	1440 Westgate Drive
08-01	Oakland, CA 94621		
2007-52	Van Ruiten Ranch LP P. O. Box 520	058-030-17 (retired parcel # 058-030-03)	2015 S. Lower Sacramento
	Woodbridge, CA 95258	070 000 04	1005 0 1 0
2007-52	Lodi LSR Properties LLC	058-030-04	1805 S. Lower Sacramento
	10100 Trinity Pkwy Suite 420 Stockton. CA 95219-7241	058-030-16 (retired parcel # 058-030-05)	1901 S. Lower Sacramento
2007-52	Howard Investments LLC et al 6360 Pacific Avenue Stockton, CA 95207-3714	058-030-06	2057 S. Lower Sacramento
2007-52	Weldon & Bonnie Schumacher	058-040-01	2125 S. Lower Sacramento
03-04	1303 Rivergate Drive	058-040-02	2375 S. Lower Sacramento
05-01	Lodi, CA 95240-0549	058-040-04	2463 S. Lower Sacramento
00 01	2502, 617 562 15 66 15	058-040-05	2557 S. Lower Sacramento
		058-230-10	13520N. Lower Sacramento
2007-52	Brian Hayn 810 E. Harney Lane Lodi. CA 95242-9534	058-070-07	810E. Harney lane
2007-52	Lyndle A. Bell 814 E. Harney Lane Lodi, CA 95242	058-070-08	814 E. Harney Lane
2007-52	Dale Goff 880 E. Harney lane Lodi, Ca	058-070-09	880 E. Harney Lane
2007-52	Dean & Sharon Frame 212 Rutledge Drive Lodi, CA 95242-2632	058-140-04	1602 S. Lower Sacramento
2007-52	Taj Khan 1112 Rivernate Drive	058-140-05	1618 S. Lower Sacramento

	Lodi, CA 95240-0555		
2007-52	Charlene K Herrmann 330 S. Fairmont Avenue #3 Lodi. CA 95240-3843	058-140-06	1626 S. Lower Sacramento
2007-52	Santiago & Ramona Del Rio 15315N. Hoerl Rod Lodi, CA 95240-9493	058-140-07 058-140-09	1634 S. Lower Sacramento 1650 S. Lower Sacramento
2007-52	Frank Hall 2613 W. Harney Lane Lodi, CA 95242-9570	058-140-08	1642 S. Lower Sacramento
2007-52	Asif Khan 930 E. Olive Avenue Lodi, CA 95242-9227	058-140-10	1658 S. Lower Sacramento
2007-52	Zane & Patsy Grever 1432 Park Street Lodi, CA 95242-3837	058-140-11	1610 S. Lower Sacramento
2007-52	Bill Peterson	058-140-12	1784 S. Lower Sacramento
2005-24	P. O. Box 473 Lockeford. CA 95237	058-140-52 (Retired parcel 058-140-52)	1920 S. Lower Sacramento
2007-52	Ruth Person P. O.Box 331 Sutter Creek, CA 95685	058-140-14	1690N. Lower Sacramento
2007-52	Mark & Eleanor Galindo P. O. Box 5396 Stockton, CA 95205-0396	058-230-06	871 E. Harney Lane
2007-52	Larry & Goreti Stice 893 E. Harney Lane Lodi, CA 95242	058-230-07	893 E. Harney Lane
2007-52	Job & Elena Sanchez 909 E. Harney Lane Lodi. CA 95242-9591	058-230-08	909 E. Harney Lane
2007-52	Lorenzo & Margarit Sandoval 931 E. Harney Lane	058-230-09	931 E. Harney Lane

	Lodi, CA 95242		
2005-24	Millsbridge Office Park East	031-330-10 (Retired parcel 031-040-40)	1811 W. Kettleman
2004-220	P. O.Box 1598		
03-03	Lodi, CA 95241		
2005-24	Mary Tsutaoka	031-330-09 (Retired parcel #031-040-20)	1833 W. Kettleman
2004-220	P. O. Box 373		
99-108	Lodi, CA 95241-0373		
03-03			
2004-220	Brittany LLC	027-410-20 (Retired Parcel #027-040-84)	2115 W. Kettleman
99-108	P. O.Box 1510		
	Lodi, CA 95241-1510		
2004-220	Church of God	027-410-22	2100 Tienda Drive
	2100 Tienda Drive		
	Lodi, CA 95242		
2001-45	Lodi First Nazarene Church	027-410-16 (Retire parcel #027-040-17)	2223 W. Kettleman
99-108	2223 W. Kettleman		
	Lodi, CA 95242		
99-108	Clarence & Luella Severson	027-410-23 (Retired Parcel #027-040-74)	2050 Tienda Drive
	2050 Tienda Drive		
	Lodi, CA 95242		
99-108	John & Kerry Giannoni	027-410-19 (Retired Parcel #027-040-83)	21 10 Tienda Drive
	2960 Applewood Drive]
	Lodi, CA 95242		
99-108	Robert Rodriguez	031-290-29 (Retired Parcel #031-040-10)	1219 Stonebridge Drive
	1219 Stonebridge		
	Lodi, CA 95242		
99-108	Jerry Munoz	031-040-47 (Retired Parcel # 031-040-11)	1239 Stonebridge Drive
	1239 Stonebridge		
	Lodi, CA 95242		
99-108	Cynthia Sturdivant	031-040-14	1271 Stonebridge
	1271 Stonebridge		
	Lodi, CA 95242-9178		
99-108	Gregory Faught	031-040-48 (Formerly 031-040-152)	1245 Stonebridge

		1	
	1245 Stonebridge Lodi, CA 95242-9178		
01-01	GFLIP III LTD PTP LP	049-310-64	1250 S. Beckman Road
	P. O. Box 1420		
	Lodi, CA 95241		
02-01	Donald & Nancy Miller	062-290-38	349 E. Harney Lane
	349 E. Harney Lane	062-290-14	415 E. Harney Lane
	Lodi, CA 95240	062-290-37	401 E. Harney Lane
03-01	Robert & Sandra Moreland	049-340-06 (Retired parcel #049-080-18)	699 N. Guild Avenue
	835 San Francis Avenue		
	Stockton, CA 95210-1131		
03-01	Robert & Sandra Moreland	049-340-02 (Retired parcel #049-080-19)	775 N. Guild Avenue
	775 N. Guild Avenue		
	Lodi, CA 95240-0861		
03-01	Gregory Carpenter	049-330-10 (Retired parcel #049-080-82)	1390 E. Turner Road
	P. O. Box 186		
	Clements, CA 95227		
03-01	Richard Kulka	049-330-23 (Retired parcel #049-080-81)	1399 E. Turner Road
	2821 Darnby Drive	049-330-24 (Retired parcel #049-080-77)	1030N. Guild
	Oakland, CA 94611		
03-01	Cranbrook Realty Investment	049-330-22 (Retired parcel #049-080-32)	1240N. Guild
	4701 Sisk Road Suite 101		
	Modesto, CA 95356		
03-01	Edward Atwood Trust	049-330-08 (Retired parcel #049-080-05)	880 N. Guild
	13179 McDole Street		
	Saratoga, CA 95070-4620		
03-04	Nick & JL Farros	058-210-04	1649 W. Harney Lane
	1649 W. Harney Ln	058-210-03	1749 W. Harney Lane
	Lodi, CA 95242		
03-04	Donald & Susan Lackyard	058-230-21	1477 E. Harney Lane
j	1477 E. Harney Lane		
	Lodi, CA 95240		
03-04	Lorenzo & Margarite Sandoval	058-230-09	931 E. Harney Lane

05-01	931 E. Harney Lane		
	Lodi, CA 95242		
03-04	Job & Elena Sanchez	058-230-08	909 E. Harney Lane
05-01	909 E. Harney Lane		
	Lodi, CA 95242-9591		
03-04	Larry & Goretti Stice	058-230-07	893 E. Harney Lane
05-01	893 E. Harney Lane		
	Lodi, CA 95242		
03-04	Mark & Eleanor Galindo	058-230-06	871 E. Harney Lane
05-01	P. O. Box 5396 Stockton, CA 95205-0396		
03-04	John & Marilyn Martin	058-220-01	791 E. Kristen Court
	791 Kristen Court		
	Lodi, CA 95242-9554		
03-04	Freddie & Khristina Vaughn	058-220-02	805 E. Kristen Court
05-01	805 Kristen Court		
	Lodi, CA 95242	050 220 02	000 77 77 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
03-04	Marty & Kimi Rosen	058-220-03	833 E. Kristen Court
05-01	899 Kristen Court Lodi, CA 95242-9554		
03-04	William & Bonnie Neumann	058-220-04	865 E. Kristen Court
05-01	865 Kristen Court		
	Lodi, CA 95242		
03-04	Floyd & Lace Nordwick	058-220-05	895 E. Kristen Court
05-01	895 Kristen Court		
	Lodi, CA 95242	0.70.000	
03-04	Steve & Kim Azevedo	058-220-06	909 E. Kristen Court
05-01	909 Kristen Court		
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03-04	Sam and Lorna Louie	058-220-08	910 E. Kristen Court
05-01	910 Kristen Court		
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03-04	Kenneth & Y Yamashita	058-220-09	884 E. Kristen Court

05-01	884 Kristen Court		
	Lodi, CA 95240		
03-04	Michael Faught	358-220-10	360 E. Kristen Court
05-01	860 Kristen Court		
	Lodi. CA 95242-9554		
03-04	Elmer & S Langworthy	058-220-11	13710 Hartley Lane
05-01	13710 Hartley Lane		
	Lodi, CA 95240		
03-04	Woodburn & Claire Lear	058-220-12	13696N. Hartley Lane
05-01	13696 Hartley Lane		
	Lodi, CA 95242-9552		
03-04	Bruce & Janeen Wood	058-220-13	867 E Tehema Drive
05-01	867 Tehama Drive		
	Lodi, CA 95242		
03-04	Randall & Deborah Parrish	058-220-14	889 E. Tehama Drive
05-01	889 Tehama Drive		
	Lodi. CA 95242		
03-04	Daniel & Denise Ortega	058-220-15	909 E. Tehama Drive
05-01	909 Tehama Drive		
	Lodi, CA 95242		
03-04	Robert & Vicky Weidner	058-220-16	910E. Tehema Drive
05-01	910 Tehama		
	Lodi, CA 95242-9553		
03-04	Robert & R Hathaway	058-220-17	890 E. Tehama Drive
05-01	890 Tehama Drive		
	Lodi, CA 95242		
03-04	Harvey & Cathy Webb	058-220-18	868 E. Tehama Drive
05-01	P. O. Box 244		
	Wallace, CA 95254		2007 77 1
03-04	Khurram Shahzad	058-220-19	830 E. Tehema Drive
05-01	830 Tehama Drive		
	Lodi. CA 95242-9553	0.70.000.00	000 F # 1
03-04	Gerald & Laurel Wisenor	058-220-20	808 E. Tehama Drive

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Sth Floor, Ste. 590 Stockton, CA 95202			058-220-24	13705 Hartley Lane
Stockton, CA 95202	05-01	44 N. San Joaquin Street		
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03-04 Joe Alvarez 058-040-10 533 E. Harney Lane	03-04		058-040-10	533 E. Harney Lane
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03-04 Robert Pinnell 058-040-11 2627 W. Harney Lane	03-04	_	058-040-11	2627 W. Harney Lane
05-01 P. O. Box 155	3			
Victor, CA 95253-0155	05 01	I		

03-04	Frank Hall	058-040-12	2613 W. Harney Lane
05-01	2613 W. Harney Lane		, and the second se
	Lodi, CA 95242-9570		
03-04	W. L. Investor	058-040-13	641 E. Harney Lane
05-01	10 100 Trinity Pkwy Suite 420		, and the second
	Stockton. CA 95219-7241		
03-04	Joey Tamura	058-040-14	2948 W. Harney Lane
05-01	788 W. Armstrong Rd		
	Lodi, CA 95242-9544		
03-04	Robert Van Ruiten	058-040-15	373 E. Harney Lane
05-01	P. O. Box 548		
	Woodbridge, CA 95258		
08-01	Frances Gutierrez	027-060-01	383 E. Taylor Rd
	383 Taylor Rd		
	Lodi. CA 95242-9233		
08-01	Steve Culbertson	027-060-03	419 E. Taylor Rd
	810 W. Elm Street		
	Lodi. CA 95240-1808		
08-01	Daniel & S McNeil	027-060-05	441 E. Taylor Rd
	441 Taylor Rd		
	Lodi, CA 95240		
08-01	Debra Frey	027-060-06	453 E. Taylor Rd
	9900 Pringle Avenue	027-060-08	
	Galt, CA 95632		
08-01	Domingo Sanchez	027-060-09	517 E Taylor Rd
	517 Taylor Rd		
	Lodi, CA 95240		
08-01	D & B Sasaki Enterprises, Inc.	027-060-10	555 E. Taylor Rd
	1806 W. Kettleman Lane		
	Lodi, CA 95242		
08-01	Kenneth Reiswig	027-060-12	589 E. Taylor Rd
	5671 W. Kingdon Road		
	Lodi, CA 95242-9532		

08-01	Kenneth & Christin Roberson 23020 N. Sowles Rd Acampo, CA 95220-9608	027-060-13	619 E. Taylor Rd
08-01	Ben & Renee Vander Heiden 681 Taylor Rd Lodi, CA 95242	027-060-27	681 E. Taylor Rd
08-01	Randy Zapara 695 E. Taylor Rd Lodi, CA 95240	027-060-29	695 E. Taylor Rd
08-01	Dave & Kathleen William 1213 W. Lockeford Street Lodi, CA 95240	027-060-35	15401 N. Lower Sacramento Rd
08-01	Leland Frey 485 Taylor Rd Lodi. CA 95242	027-060-44 (Retired parcel #027-060-39	485 E. Taylor Rd
08-01	Georgia Perlegos P. O. Box 1823 Lodi, CA 95241	029-380-05	2875 W. Lodi Avenue
08-01	Jeffrey Traverso 5237 Verdi Way Stockton, CA 95207-5321	027-400-01	3050 W. Lodi Avenue
08-01	DHKS Dev Co 621 Evergreen Drive Lodi, CA 95242-4683	027-400-02	2950 W. Lodi Avenue
08-01	WL Investor LP 10100 Trinity Parkway Suite 420 Stockton, CA 95219	027-400-03	2800 W. Lodi Avenue
08-01	Maxine Christesen Family 179 E. Taylor Rd Lodi, CA 95242	027-050-01 027-050-02	179 E. Taylor Rd 351 E. Taylor Rd
08-01	Richard Reimche 3900 Pelandale Avenue #420 Modesto, CA 95356-9104	027-050-03	345 E. Taylor Rd